



DPW 163288

DOCKET NO.: C1040.70006US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McCluskie et al.
Serial No.: 09/316,199
Confirmation No.: 7506
Filed: May 21, 1999
For: METHODS AND PRODUCTS FOR INDUCING MUCOSAL IMMUNITY
Examiner: Dave Trong Nguyen
Art Unit: 1632

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 29th day of December, 2004.


Kristin J. Ketechnut

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
McCluskie et al., Applicant

By: 
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Docket No.: C1040.70006US00
Date: December 29, 2004
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Kristin J. Keellut

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after a first Office Action after the filing of a request for continued examination, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

01/05/2005 AWONDAF1 00000002 09316199

01 FC:1806

180.00 OP

850706.1

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
*C1037.70013US01	10/831,778	April 23, 2004	Bratzler et al.
*C1037.70039US01	10/816,220	April 1, 2004	McCluskie et al.
*C1037.70050US01	10/952,254	September 27, 2004	Uhlmann et al.
*C1037.70054US01	10/973,927	October 25, 2004	Lipford et al.
*C1039.70020US01	10/921,086	August 18, 2004	Krieg et al.
*C1039.70035US01	10/884,866	July 2, 2004	Krieg et al.
*C1039.70035US02	10/888,803	July 9, 2004	Krieg et al.
*C1039.70048US03	10/831,647	April 23, 2004	Krieg et al.
*C1039.70048US04	10/847,642	May 15, 2004	Krieg et al.
*C1039.70048US05	10/877,407	June 24, 2004	Krieg et al.
*C1039.70048US06	10/884,852	July 2, 2004	Krieg et al.
*C1039.70048US07	10/888,785	July 9, 2004	Krieg et al.
*C1039.70048US08	10/888,449	July 9, 2004	Krieg et al.
*C1039.70048US09	10/894,657	July 16, 2004	Krieg et al.
*C1039.70048US10	10/894,862	July 16, 2004	Krieg et al.
*C1039.70048US11	10/928,762	August 26, 2004	Krieg et al.
*C1039.70048US12	10/956,745	October 1, 2004	Krieg et al.
*C1039.70048US13	10/956,494	October 1, 2004	Krieg et al.
*C1039.70048US14	10/972,301	October 22, 2004	Krieg et al.
*C1039.70048US15	10/987,146	November 12, 2004	Krieg et al.

*a copy of this reference is not provided as the Office hereby waives the requirement under 37 CFR 1.98(a)(2)(iii) for submitting a copy of each cited U.S. patent application filed after June 30, 2003 and for applications filed before June 30, 2003, or that entered the national stage before June 30, 2003, if they are scanned to Image File Wrapper system and are available on Private PAIR.

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<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
*C1039.70057US01	10/838,659	May 3, 2004	Davis et al.
*C1039.70058US01	10/831,775	April 23, 2004	Davis et al.
*C1039.70083US08	10/847,650	May 15, 2004	Krieg et al.
*C1039.70083US09	10/888,885	July 9, 2004	Krieg et al.
*C1039.70083US10	10/888,089	July 9, 2004	Krieg et al.
*C1040.70006US01	10/888,886	July 9, 2004	McCluskie et al.
*C1040.70012US00	10/644,267	August 20, 2003	Davis et al.
*C1041.70002US01	10/877,369	June 25, 2004	Wagner et al.
*C1041.70002US02	10/876,965	June 25, 2004	Wagner et al.
*C1041.70002US03	10/876,892	June 25, 2004	Wagner et al.
*C1041.70005US01	10/811,226	March 26, 2004	Wagner et al.
*C1041.70005US02	10/894,655	July 16, 2004	Wagner et al.
C1041.70010US00	09/786,436	March 2, 2001	Wagner et al.
*C1041.70016US01	10/884,372	July 2, 2004	Bauer et al.
*C1041.70034US01	10/978,283	October 29, 2004	Uhlmann et al.
*C1041.70036US01	10/872,196	June 18, 2004	Lipford et al.
*C1041.70040US00	10/666,844	September 19, 2003	Lipford et al.
*C1041.70043US01	10/977,560	October 29, 2004	Jurk et al.

*a copy of this reference is not provided as the Office hereby waives the requirement under 37 CFR 1.98(a)(2)(iii) for submitting a copy of each cited U.S. patent application filed after June 30, 2003 and for applications filed before June 30, 2003, or that entered the national stage before June 30, 2003, if they are scanned to Image File Wrapper system and are available on Private PAIR.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

<u>Docket No.</u>	<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication(s)</u>
C1040.70006WO00	PCT/US99/11359	19 June 2000	International Preliminary Examination Report
C1040.70006WO00	PCT/US99/11359	28 December 1999	International Search Report

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

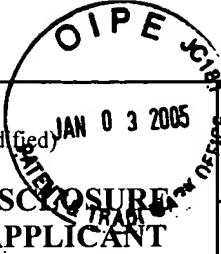
Respectfully submitted,
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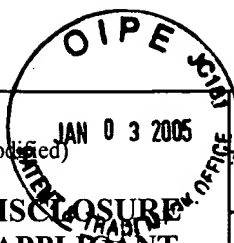
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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 09/316,199		ATTY. DOCKET NO.: C1040.70006US00	
		FILING DATE: May 21, 1999		CONFIRMATION NO.: 7506	
		APPLICANT: McCluskie et al.			
		GROUP ART UNIT: 1632		EXAMINER: Dave Trong Nguyen	
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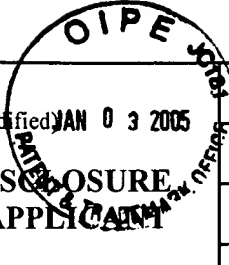
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		4,544,559		Gil et al.	10-01-1985
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		Office/ Country	Number	Kind Code			
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Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		ADEREM et al., Toll-like receptors in the induction of the innate immune response. Nature. 2000 Aug 17;406(6797):782-7.		
		ASKEW et al., CpG DNA induces maturation of dendritic cells with distinct effects on nascent and recycling MHC-II antigen-processing mechanisms. J Immunol. 2000 Dec 15;165(12):6889-95.		
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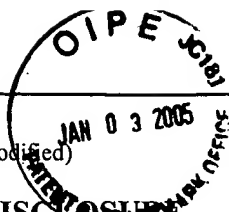
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